



Celebratory Gunfire House Bill 86

Celebratory gunfire has raised concerns regarding this dangerous and irresponsible practice and there have been incidents in which people have been injured or killed as a result. To illustrate, in 2019, Houston police received over 600 calls of guns being fired on or around New Year's Eve. During that same period in Dallas, police said they received more than 900 such calls.

Under Penal Code 42.12, agencies in larger municipalities, such as Houston, can arrest these violators for recklessly discharging a firearm in a metro area. In 2019, HPD arrested 8 violators for Discharge of a Firearm in a Metro Area and recovered a number of guns, as a result of those arrests. In fact, Chief Acevedo tweeted that during his patrol on New Year's Eve, he spoke with a suspect who readily admitted to shooting a shotgun in the air.

Unfortunately, smaller cities are precluded from using Penal Code 42.12 because of the population bracket; however, those communities also experience celebratory gunfire. HB 86 attempted to address this inconsistency in smaller jurisdictions and extend the ability to arrest for celebratory gunfire. This bill was sponsored by Rep. Martinez, of Weslaco, who was in fact a victim of celebratory gunfire when a bullet struck him in the head.

HPD testified in support of the bill, noting the application of current law and recognizing that gun owners should practice responsible gun ownership by not indiscriminately shooting in the air in celebration.



[Chief Art Acevedo @ArtAcevedo](#)

Just finished my patrol shift. Turned over 3 DWIs, one included FSGI and another possessed a shotgun he readily admitted to discharging within the city. Also located an ADW with a knife suspect who was in possession of a stolen firearm. Proud of my HPD family. **[#RelationalPolicing](#)**